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## DETAINER

BASED ON VIOLATION OF PROBATION AND/OR SUPERVISED RELEASE

United States Marshal  
Eastern District of Washington  
(District)

U.S. Marshal Service  
P.O. Box 1463; Spokane, WA 99210-1463  
509-353-2781  
(Return Address and Phone)

U.S. DISTRICT COURT  
DISTRICT OF WYOMING

SEP 18 2006

Stephan Harris, Clerk  
Casper

Please type or print neatly:

TO: CROOK COUNTY JAIL  
Sundance, WY

DATE: September 14, 2006

SUBJECT: ORTIZ, Ernesto G.

AKA:

DOB/SSN: 2-3-1980; 533-02-5363

REF. # A060166 (Jail #)

USMS #: 16278-085

FBI# 903452JC4

CR #: CR-05-2087

Please accept this Detainer against the above-named subject who is currently in your custody. The United States District Court for the Eastern District of Washington has issued an **arrest warrant** charging the subject with **violation of the conditions of probation and/or supervised release**.

Prior to the subject's release from your custody, please notify this office at once so that we may assume custody if necessary. If the subject is transferred from your custody to another detention facility, we request that you forward our Detainer to said facility at the time of transfer and advise this office as soon as possible.

The notice and speedy trial requirements of the Interstate Agreement on Detainers Act do NOT apply to this Detainer, which is based on a **Federal probation/supervised release violation warrant**.

Please acknowledge receipt of this Detainer. Please provide one copy of this Detainer to the subject and FAX one copy to this office at 509-353-2130 .

FAX No.

### RECEIPT

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Very truly yours,

Michael L. Kline

U.S. Marshal

(Signature of Requesting Officer)

Requested by: Carla Richardson, Criminal Support Specialist

Institution Copy

PS 10  
(8/88)

## UNITED STATES DISTRICT COURT

for

Eastern District of Washington

U.S.A. vs. Ernesto G Ortiz,

Docket No. 0980 2:05CR02087-001

TO:<sup>1</sup>

## WARRANT FOR ARREST OF DEFENDANT

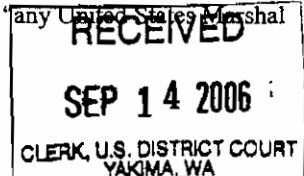
You are hereby commanded to arrest the within-named defendant and bring him or her, forthwith, before the United States District Court to answer charges that he or she violated the conditions of his or her pretrial release imposed by the court.

NAME OF DEFENDANT Ortiz, Ernesto G	SEX Male	RACE White ( Hispanic origin )	AGE 26
ADDRESS (STREET, CITY, STATE) Crook County Jail, Sundance, WY			
TO BE BROUGHT BEFORE (NAME OF COURT, CITY, STATE) U.S. District Court, Eastern District of Washington, Yakima, WA			
CLERK <b>JAMES R. LARSEN</b>	(BY) DEPUTY CLERK <i>[Signature]</i>	DATE September 14, 2006	

## RETURN

Warrant received and executed.	DATE RECEIVED	DATE EXECUTED
EXECUTING AGENCY (NAME AND ADDRESS)		
NAME	(BY)	DATE

<sup>1</sup>Insert designation of officer to whom the warrant is issued, e.g., "any United States Marshal or any other authorized officer," or "United States Marshal for Eastern District of Washington;" or "any United States Marshal or any Special Agent of the Federal Bureau of Investigation;" or "any agent of the Alcohol Tax Unit."



UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SEP 14 2006

JAMES R. LARSEN, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

U.S.A. vs.

Ernesto G. Ortiz

Docket No.

2:05CR02087-001

**Petition for Action on Conditions of Pretrial Release**

COMES NOW Jose Zepeda, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Ernesto G. Ortiz who was placed under pretrial release supervision by the Honorable Michael W. Leavitt sitting in the court at Yakima, WA, on the 2nd day of August 2005, under the following conditions:

**Condition No. 4:** The defendant shall commit no crimes and shall appear for all Court hearing as directed.

**Condition No. 6:** The defendant shall not leave the Eastern District of Washington without the prior written approval of the United States Probation Office.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach.)

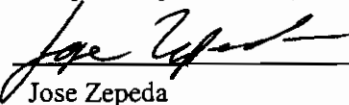
**Violation No. 1:** Ernesto Ortiz is considered to be in violation of his pretrial release conditions in the Eastern District of Washington by being arrested for interference with a peace officer on September 13, 2006.

**Violation No. 2:** Ernesto Ortiz is considered to be in violation of his pretrial release conditions in the Eastern District of Washington by leaving this district without written permission by the United States Probation Office on September 13, 2006.

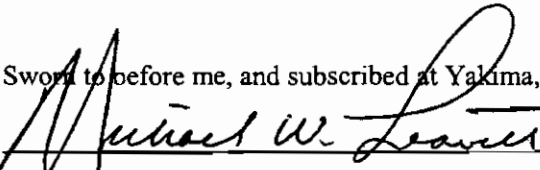
PRAYING THAT THE COURT WILL ORDER A WARRANT

Respectfully submitted,

by

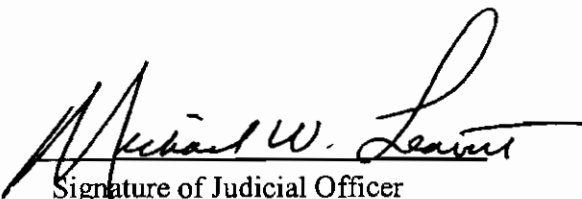
  
Jose Zepeda  
U.S. Probation Officer

Signed to before me, and subscribed at Yakima, Washington

 9/14/06  
Signature of Judicial Officer Date

THE COURT ORDERS

☐ No Action  
☒ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☐ Other

  
Signature of Judicial Officer  
9/14/06  
Date

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF WASHINGTON  
PROBATION OFFICE**

**SCOTT M. MORSE, SR.**

CHIEF PROBATION OFFICER  
U.S. COURTHOUSE  
920 W Riverside, Room 540  
PO BOX 306  
SPOKANE, WA 99210-0306  
(509) 353-3240 / fax (509) 353-3246

August 14, 2006

**BRANCH OFFICES**

FEDERAL BUILDING  
25 S. 3<sup>rd</sup> Street, Room 326  
PO BOX 1791  
YAKIMA, WA 98907-1791  
(509) 575-5842 / fax (509) 454-5782

FEDERAL BUILDING  
825 Jadwin Ave, Suite 170  
RICHLAND, WA 99352-0446  
(509) 376-7467 / fax (509) 372-2590

REPLY TO Yakima

The Honorable Lonny R. Suko  
U.S. District Judge  
Eastern District of Washington  
U.S. Federal Building, Second Floor  
25 South Third Street  
Yakima, WA 98901

**RE: ORTIZ, Ernesto**

**Docket No: 2:05CR02087-001**

**Crime: Conspiracy to Distribute and/or  
Possession With Intent to Distribute a  
Controlled Substance, 21 U.S.C. §§ 841(a)(1)  
and 846**

**Pretrial Supervision Date: August 2, 2005**

**Present Location: Crook County Jail  
Sundance, WY**

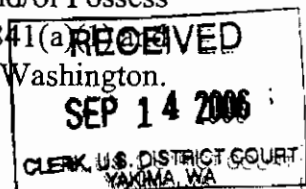
**Last Known Address: 2303 Ekelman Road  
Yakima, WA 98908**

**VIOLATION REPORT/WARRANT  
REQUESTED**

Your Honor:

On July 29, 2005, Ernesto Ortiz made an initial appearance before the Honorable Michael W. Leavitt, U.S. Magistrate Judge and was temporarily detained pending a detention hearing. On August 2, 2005, the defendant appeared before the Court for a detention hearing and the Court ordered his release on a \$20,000 bond. Mr. Ortiz was subsequently released to pretrial supervision with the standard conditions.

Pursuant to a written plea agreement filed on August 31, 2006, the defendant pled guilty to count 1 of the indictment, which charged him with Conspiracy to Distribute and/or Possess With Intent to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841(a) and 846. The Court set sentencing for December 7, 2006, at 10:30 a.m. in Yakima, Washington.



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It now appears Mr. Ortiz has violated the following conditions of his pretrial release:

**Condition #4:** The defendant shall commit no crimes and shall appear for all Court hearings as directed.

**Violation #1:** Ernesto Ortiz is considered to be in violation of his pretrial release conditions in the Eastern District of Washington by being arrested for interference with a peace officer on September 13, 2006.

**Condition #6:** The defendant shall not leave the Eastern District of Washington without the prior written approval of the United States Probation Office.

**Violation #2:** Ernesto Ortiz is considered to be in violation of his pretrial release conditions in the Eastern District of Washington by leaving this district without written permission by the United States Probation Office on September 13, 2006.

The evidence in support of the above alleged violations is as follows:

On September 13, 2006, a deputy from the Crook County Sheriff's Office in Sundance, Wyoming, called the U.S. Probation Office in Yakima, Washington, and advised the defendant had been arrested for interference with a peace officer.

According to the police report, the defendant was a passenger in a vehicle which was stopped by the Wyoming Highway Patrol. The trooper asked the defendant for identification and the defendant gave the name of Luke Gutierrez, with a date of birth of February 3, 1980. Dispatch confirmed no information was found regarding the subject. The trooper found a piece of paper in the vehicle dated August 24, 2006, which was addressed to the U.S. Attorney in the State of Washington, concerning a plea agreement regarding Ernesto G. Ortiz, for 715 grams of methamphetamine. The trooper questioned the subject regarding who was Ernesto, to which the defendant responded it was his father. The trooper contacted the U.S. Attorney's Office in Washington regarding Ernesto Ortiz, and a short while later a digital picture was sent to the trooper, which confirmed Mr. Ortiz' identity. The picture was shown to the subject, who subsequently identified himself as Ernesto Ortiz. The defendant was then transported and booked into the Crook County Jail.

In reference to violation number 2, the defendant must first receive prior approval from a U.S. probation officer to travel outside the district. The defendant did not receive prior approval to leave the district and was found in the State of Wyoming. According to the Wyoming Highway Patrol narrative report, the defendant was traveling to Indianapolis, Indiana, to attend a sweet 16 celebration for a relative.


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Based on the above-noted information, this officer respectfully requests a warrant be issued as a detainer, requiring Ernesto Ortiz to appear and answer to the allegations in the petition.

Respectfully submitted,

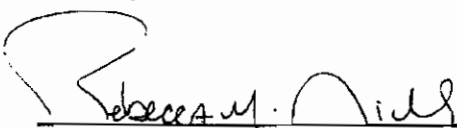
Scott M. Morse, Sr.  
Chief U.S. Probation Officer

By:

  
Jose Zepeda  
U.S. Probation Officer

9/14/06  
Date

APPROVED BY:

  
Rebecca M. Nichols  
Supervising U.S. Probation Officer

9/14/06  
Date

JZ/ol

attachments

c: The Honorable Michael W. Leavitt, U.S. Magistrate Judge  
Shawn Anderson, assistant U.S. attorney  
Ken Therrian, defense counsel